

**AGREEMENT BETWEEN
THE STATE OF CALIFORNIA AND CAPT
CONCERNING LAYOFFS NOTICED JUNE 1, 2009**

1. Physical Abilities Testing

Employees who are reinstated via the reemployment list to DDS or DMH shall not be required to retake the PAT.

2. Probationary Period

The State will follow State Personnel Board PMPP Manual Section 320.6 regarding probationary period when an employee is appointed from a reemployment list under the same appointing power.

3. Sick Leave

Laid off employees shall keep all their accrued sick leave on the State's books, up to 5 years from effective date of layoff.

4. Vacation Time

Employees receive leave balances on a monthly basis. The State encourages employees to reconcile leave balances as soon as possible. Laid off employees shall receive payment for leave balances per the labor code on their last day of employment.

5. Furlough Time

Employees with furlough time on the books shall be allowed to use the accrued furlough time prior to the effective date of the layoff.

6. Health Benefits

The State shall have a meeting for impacted employees at each facility to answer questions on COBRA benefits prior to the effective date of layoff.

7. Re-employment

- a. The state before filling vacant or new positions in the same class by any other means, shall offer positions to the most senior employee on the subdivisional and department recall list.

8. 20/20 Sponsorship

- a. Effective upon lay off, Unit 18 employees who are sponsored by the 20/20 Training Program to be a licensed Psychiatric Technician shall be laid off in their permanent position and offered a limited term position (no return rights). The employee will remain in the limited-term position as long as they remain eligibly enrolled in the 20/20 Sponsored Psychiatric Technician Program and will be terminated from the limited-term position upon their completion of the Psychiatric Technician Program. Where determined, by management, that a participant is to be continued in their limited-term position on a "Temporary Appointment Utilization" (TAU) basis, the TAU may be continued up to nine (9) months based on available funds s provided for below from "20/20" appropriations. Upon termination from limited-term status, a participant shall compete with any and all others for licensed Psychiatric Technician vacancies in accordance with State Personnel Board Rules, Regulations, Codes and Laws and with the Department of Personnel Management Laws and Rules, Regulations and other employment guidelines.
- b. The Joint 20/20 Sponsorship Committee agrees to fully fund (100 percent salary and benefits) this program for all covered impacted participants as provided for in the Agreement and shall come from the 20/20 appropriations and is subject to the funds available from this onetime special appropriation.
- c. In the event of future layoffs affecting BU18, BU18 agrees to waive all Department of Personnel Administration's Laws and Rules requiring the termination of limited-term employees in BU18 before layoff of permanent BU18 employees as it concerns the participants covered under this provision. And BU18 agrees to indemnify Department of Developmental Services against all claims and appeals before any court, board or third party adjudication over financial awards as a result of this provision.

State
Pam D. [Signature]
Wendy [Signature]
Reh [Signature]
Candace Munch

CAPT
Ken Munch 10-21-09

